

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:22-cv-00114-MR**

**NAFIS AKEEM-ALIM ABUDLLAH
MALIK,**

Plaintiff,

vs.

EDDIE CATHY, et al.,

Defendants.

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ORDER

THIS MATTER is before the Court on the Plaintiff's pro se "Motion Leave to Amend Pursuant F.R. Civ. P. 15(a)" [Doc. 56] and the Plaintiff's "Remove Stay Reset Deadline Resume Litigation Pursuant FRCP 62" [Doc. 57].

The pro se incarcerated Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983, addressing incidents that allegedly occurred at the Union County Jail.¹ After the Amended Complaint passed initial review in part, the Defendants were served and filed an Answer, and the Court entered a Pretrial Order and Case Management Plan. [Docs. 20, 24, 40].

¹ The Plaintiff is now in the custody of the North Carolina Department of Adult Corrections.

This matter has been stayed since January 30, 2023, to accommodate the Plaintiff's spinal surgery and recovery. [Doc. 47]. Now pending are his "Motion Leave to Amend..." in which he seeks to amend his Motion for Stay [Doc. 56], and his "Remove Stay..." in which he asks the Court to lift the stay and to resume the litigation with extended scheduling deadlines [Doc. 57].

The Plaintiff's request to lift the stay is granted and the stay is lifted. The Court will amend the Pretrial Order and Case Management Plan [Doc. 40] to account for the stay as follows:

- (1) All discovery shall be completed no later than October 16, 2023;
- (2) All motions except motions in limine and motions to continue shall be filed no later than November 16, 2023.

Because the stay has now been lifted, the Plaintiff's "Motion Leave to Amend..." is denied as moot.

IT IS, THEREFORE, ORDERED that:


1. The Plaintiff's "Motion Leave to Amend Pursuant F.R. Civ. P. 15(a)" [Doc. 56] is **GRANTED**, and the stay of this matter is hereby **LIFTED**.

2. The Plaintiff's "Remove Stay Reset Deadline Resume Litigation Pursuant FRCP 62" [Doc. 57] is construed as a Motion and is **DENIED AS MOOT.**²

3. The Pretrial Order and Case Management Plan [Doc. 40] is **AMENDED** as follows:

- a. All discovery shall be completed no later than October 16, 2023;
- b. All motions except motions in limine and motions to continue shall be filed no later than November 16, 2023.

IT IS SO ORDERED.



Martin Reidinger
Chief United States District Judge



² The Plaintiff is reminded that he must request relief from the Court through the filing of "Motions." [See Doc. 4 (Order of Instructions)]. Any future letters or other filings will receive no response from the Court.